

Amendment No. 1 to HB1459

Hulsey  
Signature of Sponsor

**AMEND Senate Bill No. 1056\***

**House Bill No. 1459**

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 16, Part 2, is amended by adding the following as a new section:

**39-16-202.**

(a)

(1) A warden or chief administrative officer employed by a penal institution, as defined in § 39-16-601, or the warden or administrative officer's designee, who knows that an offense enumerated in subdivision (a)(2) has occurred within the penal institution shall report the offense to the district attorney general for the judicial district in which the penal institution is located within five (5) business days of becoming aware of the offense being committed.

(2) Subdivision (a)(1) applies to the following offenses:

- (A) Aggravated assault, as defined in § 39-13-102;
- (B) First degree murder, as defined in § 39-13-202;
- (C) Second degree murder, as defined in § 39-13-210;
- (D) Voluntary manslaughter, as defined in § 39-13-211;
- (E) Criminally negligent homicide, as defined in § 39-13-212;
- (F) Aggravated rape, as defined in § 39-13-502;
- (G) Rape, as defined in § 39-13-503;
- (H) Aggravated sexual battery, as defined in § 39-13-504;
- (I) Sexual battery, as defined in § 39-13-505; and

(J) Indecent exposure, as defined in § 39-13-511(c).

(b) A violation of this section is a Class A misdemeanor.

SECTION 2. Tennessee Code Annotated, Section 40-35-115(b), is amended by adding the following as a new subdivision:

(9) The defendant was incarcerated at the time of the offense and is convicted of an offense enumerated in § 39-16-202(a)(2).

SECTION 3. This act takes effect July 1, 2023, the public welfare requiring it.